

SENATE BILL 1211

By Yager

AN ACT to amend Tennessee Code Annotated, Title 8,  
Chapter 6, relative to certain attorneys performing  
duties for the state.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. The Tennessee Code Commission is directed to move all sections of Tennessee Code Annotated, Title 8, Chapter 6, Part 1, except § 8-6-101 and as provided in Sections 2 and 3, to Title 8, Chapter 6, Part 2, and to move the present language in Title 8, Chapter 6, Part 2 to Title 8, Chapter 6, Part 1 to be renumbered accordingly.

SECTION 2. Tennessee Code Annotated, Section 8-6-109(a), is amended by deleting the subsection in its entirety and by adding the following language to Title 8, Chapter 6, Part 1 as a new, appropriately number section:

8-6-1\_\_\_. The attorney general and reporter has and shall exercise all duties vested in the office pertaining to reporting the decisions of the court of appeals, the court of criminal appeals and the supreme court of Tennessee in the manner prescribed by this part.

SECTION 3. Tennessee Code Annotated, Section 8-6-109(b), is amended by deleting subdivision (7) in its entirety. The Tennessee Code Commission is directed to move the remaining language in § 8-6-109 to Title 8, Chapter 6, Part 2 as a new, appropriately numbered section.

SECTION 4. Tennessee Code Annotated, Title 8, Chapter 6, Part 2, is amended by adding the following language as a new section as follows:

8-6-201.

(a) There is created within the executive branch of government the office of solicitor general of Tennessee.

(b)

(1) Beginning with the November 2012 election and every four (4) years thereafter, the solicitor general for Tennessee shall be popularly elected by the qualified voters of the state and shall hold office for a term of four (4) years and until a successor is elected and qualified.

(2) The solicitor general shall be at least thirty (30) years of age, shall be a citizen of the United States, and shall be and have been an attorney duly licensed in this state and a citizen of this state for at least ten (10) years immediately preceding the election.

(3) No person shall be eligible for election as solicitor general for more than two (2) terms consecutively, not including an election for a partial term.

(c) The solicitor general shall perform the duties of the office as required by this part, and parts 3 and 4 of this chapter, as well as other duties as prescribed by law.

(d) The solicitor general of Tennessee shall:

(1) Be subject to any penalty prescribed by law;

(2) Receive a compensation for services as set by the general assembly;

and

(3) Not be allowed any fees or perquisites of office nor hold any other office of trust or profit under this state or the United States.

(e)

(1) Whenever the office of solicitor general becomes vacant, by death, resignation, or otherwise, during the recess of the general assembly, the governor shall immediately fill it by appointing a person qualified to discharge the

duties until the general assembly reconvenes and fills the vacancy for the unexpired term in accordance with subdivision (e)(2).

(2)

(A) A person appointed to fill the unexpired term vacated during the first eighteen (18) calendar months of the term shall hold office until a successor is elected for the remainder of the term at the next election of members of the general assembly and qualified pursuant to law.

(B) A person appointed to fill the unexpired term vacated after the first eighteen (18) calendar months of the term shall continue to hold office for the remainder of the full term.

#### SECTION 5.

(a) Personnel, positions equipment and other resources associated with employees primarily engaged in activities assigned to the attorney general and reporter shall remain in the office of the attorney general and reporter.

(b) Personnel, positions equipment and other resources currently associated with employees of the attorney general and reporter primarily engaged in activities assigned to the solicitor general for Tennessee shall be transferred to the office of the solicitor general.

SECTION 6. As code sections are amended and volumes are replaced, the Tennessee Code Commission shall change any designations for “attorney general and reporter” which should be changed to “solicitor general for Tennessee” in Title 8, Chapter 6, Part 2, as amended, and Parts 3 and 4 and elsewhere based on the activities assigned to the solicitor general for Tennessee, and keep the designations for “attorney general and reporter” in Title 8, Chapter 6, Part 1, as amended, and elsewhere based on the activities assigned to the attorney general and reporter.

SECTION 7. This act shall take effect July 1, 2011, the public welfare requiring it.